



22 August 2008

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Your Ref: LWR:RC:P60546

Examiner's first report on patent application no. 2004307195
by Sustainable Technologies International Pty Ltd

Last proposed amendment no.

Dear Madam/Sir,

I am replying to the request for examination. I have based this report on the pamphlet. I have examined the application and I believe that there are lawful grounds of objection to the application. These grounds of objection are:

1. Claims 1 and 46 do not define the invention described as they omit any working interrelationship between the photovoltaic device and the envelope. They may be considered as defining two separated items (eg a photovoltaic device and a balloon).

2. Claim 41 is not clear as to whether the face of the polyhedron is an outside or inside face (with claim 3 requiring it to be an inside face).

3. Claim 37 is not clear as there is no antecedent for the term "the line film".

4. Claim 41 does not define the invention described as it omits the apparently essential features of a curved profile for the envelope and a plurality of layers for the photovoltaic element. It is also not clear as there is no antecedent for "the device".

5. Claim 52 appears not to be fairly based on the description as there does not appear to be any description or drawings related to a photovoltaic array. The description at page 2 lines 30-33 seems scarcely adequate to base an omnibus claim on.

6. Claims 1-8, 30, 33, 45 and 46 are not novel and lack inventive step in light of EP 736912 by Nakata as it shows a photocell array with p and n type semiconductor sections where the n-type section is spherical and covered by an antireflective hemispherical, or dome, shaped envelop (7) mounted on a substrate (4). The photovoltaic device is electrically mounted to a substrate (5).

7. Claims 1-3, 8, 30, 33, 35 and 45 are not novel and lack inventive step in light of US 4308857 by Sims as it shows a solar energy receiver (100) that includes photovoltaic elements (123) within a glass envelope (102). The elements may be connected in a grid and a parabolic concentrator (200) concentrates the solar rays on the photovoltaic elements.

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8. Claims 1-3, 8, 30, and 45 are not novel and lack inventive step in light of US 4078944 by Mlavsky as it shows a similar tube style envelope (16) enveloping photovoltaic elements (10)
9. Claims 1-8, 30, 33, 45 and 46 are not novel and lack inventive step in light of US 6204545 by Nakata as it shows a photovoltaic device (16) formed on a spherical crystal (2) with spherical envelopes (9,10) surrounding it. The photovoltaic element has a plurality of differing chemical layers.

There is no Notice of Entitlement on file. You will need to file one because an application without a Notice of Entitlement cannot be accepted.

You have 21 months from the date of this report to overcome all my objection(s) otherwise your application will lapse.

You will need to pay a monthly fee for any response you file after 12 months from the date of the first report.

You will also need to pay any annual continuation fees that apply. These will normally be first due five years from the filing date. Please note however that earlier commencement dates apply for divisional applications.

Information about fees may be obtained by phoning 1300 651 010.

Yours faithfully,



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